6357

App. F. IX-4

Previous References.

1950-54
(CB.)

File No. 469
Serial Nos. 150

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for 17 May 54

SUBJECT

Lands leased out by the Military to the
St. Patricks Church

Serial No.

Letter No CL 031/50-51 dt 16-2-1951 from the Revenue Commissioner forwarding a copy of his Comm Letter No S.O. 53-C/53/50-51 dt 2-2-1951 stating instructions as to the procedure to be adopted in respect of the twelve properties referred to by him.

1) A copy of the printed collection entitled "Military Lease and Grants" is placed below. This collection relates to about 12 items of property which have been leased or granted ~~in perpetuity~~ by the military authorities in favour of private persons, municipal commission, Religious Institutions etc and the Residency and the Government of Mysore came to certain agreement in 1938, for the regularisation of these grants, in the event of retrocession.

2) It is not known, what further steps were taken by the Residency in view of decisions arrived at in 1938. For instance one of the parties referred

NOTE—Contn. Sheet.

Lease of Military lands in the Civil and Military Station Bangalore

File No. 6357/CB of 19

General and Revenue Secretariat

Serial No.

the authorities of
in the collection is, St Patricks Cathedral. The Govt agreed with the proposal of the Residency to transfer 12.34 guntas in the possession of the cathedral authorities free of cost to the Cathedral authorities and also to sell 34.66 guntas of land to the Cathedral for a reasonable value. But from the letter dt 21-2-1948 from the Bishop of Bangalore, it is seen that no definite instructions were issued from the Residency in pursuance of the agreement reached in 1938. In the circumstances it is necessary for the Special officer to go into the matter again and submit separate proposals, if necessary, for the regularisation of grants in regard as per decisions already arrived at.

2. For orders whether the Revenue Commissioner may be replied accordingly.

F

CKS
22/2/51

3) Please put up draft letter accordingly

Sd/
22.2.51.

4) draft letter to the

Serial No.

72

5) Revenue Comr cs subd

CKD
20/2/51

Chief Secy)

23.2.57

6) Rem'r 23/2/57

7) 115 Rec'd 24/2/57

CHIEF SECRETARY (082) 24 FEB 1951 GOVT OF MYSORE

No 17453/CB dy 27-2-1951 to the Revenue Commissioner.

Sup.

Rem'd p/u.

8) Reference is invited to para 11 in the progress report of the Special duty officer placed in the linked file & No 766 CKD relating to extension of the term of the appointment of the Special Duty Officer, with reference to the above letter dy 27-2-1951, the Special Duty Officer seems to have sent a communication to the Revenue Comr on 7-3-51 and the Revenue Comr has not sent this in turn to Govt. Apt to the Revenue Comr calling for the same is put up

Returned p/u

CKD
8/5/51

Dislinked. Please close this file and open a separate one for each of the twelve properties with extracts from the progress report or by calling for reports separately in regard to each item.

8.5.57.

Contn. Sheet.

6357
CB

GOVERNMENT OF MYSORE.

'IMMEDIATE'

OFFICE OF THE REVENUE COMMISSIONER AND
CIVIL REPRESENTATIVE IN MYSORE.

No. C.L.O.31/50-51.

Dated, Bangalore, 15th February 1951.

To

Sri K. Srinivasan, B.Sc.,
Chief Secretary to the
Government of Mysore,
Bangalore.

Sir,

Subject:- Lease of Military lands in the Civil and Military Station - Bangalore - Regularisation of -

I write to enclose herewith copy of Bangalore Deputy Commissioner's letter No. S.O.53-C.53/50-51 dated 2nd February 1951 asking for the instructions of Government as to the procedure to be adopted in - - dealing with the twelve items of property detailed therein, originally granted to Military Authorities, who in turn have - - leased them to Civilians.

Yours faithfully,

Revenue Commissioner and
Civil Representative.

15/2

Letter No. S.O.53.C.53/50-51 dated 2nd February 1951 from the Deputy Commissioner, Bangalore District, to the Revenue Commissioner in Mysore, Bangalore.

-

Subject:- Lease of Military lands in the Civil and Military Station, Bangalore, regularisation of -

-

I invite reference to the correspondence resting with:-

1. S.R.'s D.O. letter No. R.956-26-32(81) dated 27-7-1938 to the Government of Mysore.

2. Chief Secretary's D.O. No. Pol. 250/C.B.125-37-159 dated 19-8-1938.

3. S.R.'s D.C. No. R.1258-26-32(81), dated 1-11-1938.

4. D.O. No. R.1287-26-32(81) dated 21-11-1938.

5. D.O. No. R.679-140/37(45)B dated 29-3-1938 and

6. The Chief Secretary's D.O. letter No. Pol.1198/C.B.125-37/77 dated 26-8-1938.

Contained in the Confidential Branch File No. 125/1937 in respect of the - - - marginally noted 12 out of the 35 -- items contained in the statement of lands granted to the Military Authorities who have leased -- them to - - - - Civilians" and write to state that the Mysore Government and the Residency have already -- arrived at definite decisions in regard to the marginally noted immoveable properties as long back as 1938 and request you kindly to let me know whether the Special Duty Officer might now take action accordingly to implement the agreements already arrived at between the Hon'ble the -- Resident in Mysore and the Government of Mysore, by calling upon the lessees concerned to - - - execute fresh leases, to purchase the land, etc., as the case may be in view of the decisions - - arrived at or whether each of these cases has to be examined afresh and action taken to - - regularise these cases on their merits.

1. The All Saints Church (item 2).
2. Plot of land in Blackpally Maidan. (item 3).
3. Compound of St. Patrick's - - Cathedral (item 4).
4. Lakshmi Theatre Site (item 5).
5. Land on Old Poor House Road (item 6).
6. Land on Hospital Road. (item 6).
7. Portion of the Compound of No. 8, Rest House Road (item 25).
8. Municipal School, Ookadapalyam (item 27).
9. Plot of land in Moore House Barracks (item No. 9).
10. St. Marks Church (item No. 7).
11. Plot of land in Old Cubbon Lines (item No. 12).
12. Valve Superintendent's Quarters, (item No. 33).

-

p.t.o.

Appendix F. G.—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 19 .

Date of issue .....

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. 17453/CB. Date 25-2-51

To

To The Revenue Board & Civil Representative

Sir

Subject — Disposal of Military Lands in the Civil and Military Station Bangalore —

Ref ... your endt No CL.0201/50-51 dt 16-2-51.

I am directed to state that Sarvashri the Mysore Govt and the Residency arrived at definite decisions in regard to the 12 items of properties referred to in the Confidential Branch collection 125-37 Pt, it is not known what further steps were taken

of the Residency in pursuance of the agreement reached in 1938. I am ~~to request that~~ the Special Officer may ~~go into the matter again~~, examine the present position regarding the twelve items of property referred to and what ~~further~~ further action ~~taken by Residency subsequent to 1938 and take further action to~~ follow up proposals if any for the regularisation of the grants. ~~as for divisions taken on C.R. file 125-37.~~ I am also ~~to add that~~ separate and self-contained ~~D~~ispatches may be made ~~direct~~ in regard to each item of the property.

Early action is requested.

Yours faithfully

[illegible]

[illegible]

CKS

[illegible]

23.2.57.

GOVERNMENT OF MYSORE.

General and Revenue Secretariat,

No. 17453 / CB *Dated, Bangalore,* 27 **Feb.** *1951.*

FROM

The Chief Secretary to the Government of Mysore.

To

The Revenue Commissioner and
Civil Representative, Bangalore.

SIR,

Subject: Lease of military lands in the Civil and Milita-ry Station, Bangalore.

Ref: Your letter No. C.L.O.31/50-51 dated 16th February 1951.

I am directed to state that the Special Officer may examine the present position regarding the twelve items of property referred to and put up proposals, if any, for the regularisation of the grants. Separate and self-contained references may be made in regard to each item of the property.

Early action is requested.

Yours faithfully,

26/2/51

for Chief Secretary to Government.

CKP

Name of the Property and description	Decision arrived at between the Residency & Govt of Mysore in 1938	Further action to be taken in the matter by the special officer
1) The All Saints Church.	The proposal of the Residency to grant a lease in perpetuity subject to one fourth on for resumption on payment of the value of the buildings if the land and buildgs do not continue to be used for the purpose for which the grant is made (Vide D.O letter No 850 CB/125-37-1s9 dt 19-8-38 to the Residency.	The Special officer may further examine whether the Residency took further action to perpetuate the grant and if so whether the conditions of the grant are being fulfilled. CKS

Name of the property

~~Compound of St.~~
~~Patrick's Cathedral~~
Plot of land in
Blackpally Maidan

Agreement between
the Residency and
Mysore Govt.

The proposal of the
Residency to make
a free Grant of the
land was agreed to.

(Vide Lett. No Pol 250
CB 125-37-159 & 1938
from to the Residency

Action to be
taken by the
Special Officer

~~Perhaps no~~
further action is
~~necessary~~.

CKS

Name of the Bodies.	Decision arrived at between the Govt & Residency.	Action to be taken in the matter by the Special Officer
Compound of Saint Patrick's Cathedral.	(a) The proposal to transfer 1½ Guntas free of cost to the Cathedral was agreed to.	~~No further action is called for in the matter~~ CKP
	(b) The proposal will be subject to the Roman Catholic Authorities agreeing to a reasonable price was agreed to.	

Name of the Property.

Lakshmi Theatre Site

Class 6 Junctus.

(The land was granted for charitable purposes. It was in five portions held by different persons.

1) The Lakshmi Theatre.
2) The passage to the Chattram
3) A vacant portion
4+5. Land sold in court auction.
6. Land in possession of the Municipal Commission.

Agreement between the Residency and Govt of Mysore.

I It was agreed to sell 1,465 to the owners.

II To transfer 6 to the Municipal Commission on execution of a new lease.

III execution of a new lease 2) which was being for the purpose for which the lease was given.

Action to be taken by the Special Officer

The Special Officer may examine whether the new lease for the use of the passage to Chattram was executed and if so what are the conditions of the lease.

CKD

Name of the Property	Agreement with the Residency	Action to be taken by the
Plot of the land on old cubbon lines.	It was agreed to sell the lands to the holders of the land then.	No further action is necessary CKS:

Name of the Property	Agreement with the Residency	Action to be taken by the Special Duty Officer
Land on Old Poor House Road.	The proposal to sell the land & lessee's heirs was agreed to.	No further action is necessary.

Name of the Property	Agreement with the Residency.	Action to be taken by the Special duty Officer.
Land on ~~old Poor House Road~~ Hospital Road.	The proposal of the Residency to sell the land to the heirs of the lessee was agreed to.	~~No action is necessary~~ CKS.

Name of the Property

Portion of the compound of No 8. Rest House Road.

Agreement with the Residency.

The proposal of the Residency to make a free grant of the land is agreed to.

Action to be taken by the Special Duty Officers.

No further action is necessary.

CRD

Name of the Property	Agreement with the Residency	Action to be taken by the Resident Special Oper
Municipal School Gokad palyam.	The proposal to confirm the Grant of the land as a Building Site to the Municipal Commission ~~was agreed to~~. Subject to the condition of resumption of land on payment of compensation for the buildings whenever it is not used as school as agreed to.	~~No further action is necessary~~. (A) The Special Oper may examine whether the conditions of the grant are being fulfilled and report CKS.

Name of the Property	Agreement with the Residency	Action to be taken by the Special officer
Plot of land in Moore House Barracks.	The Clearance was confirmed subject to conditions which existed.	The Special officer may find out what exactly are the conditions of grant and whether the conditions are being observed.

CKS.

Name of the Property	Agreement Reached with the Residency	Actions to be taken by the Residency
St. Mark's Church	The proposal to confirm the grant was agreed to.	No further action is necessary. (KS)

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*).

To

The Revenue Comr.

Sir

Subject Examination 2 military leases

Ref Letter No 17450/CR 2-2-51

I am directed to state that from the progress report of the Special Duty officer it is seen that ~~to~~ the Special Duty officer has made a report to you on 7-3-51 in reply to this office ~~combo~~ letter No 17453 and that this reply has not been transmitted to government and

WD 06819—GPB—25,000—26-7-49

to request you kindly to forward the same at an early date.

Yours faithfully

— Chief Secretary
CR

Copy to Dy Comr
Bangalore —

land in the occupation of Military in Museum Road in the Compound of St. patricks Cathedral

submitted for orders whether the file may be linked with the main file which is in Sus of the Records.

KHS 6/2

Please link it with the main file.

6.2.50.

3472
CB

Letter dated 21st February 1948 from the Bishop of Bangalore requesting, in the circumstances explained, (1) the transfer, free of cost, of a piece of land in the compound of St. Patrick's Church to the Church authorities, and (2) the sale, at a reasonable price, of another part of the land.

---

1) A copy of the printed collection entitled " Military Leases and Grants" is put up herewith, and the portions bearing on the subject have been marked in pencil for perusal.

2) As will be seen from it, in the negotiations which took place in 1938, the proposal to transfer 12.34 guntas free of cost and to sell 34.66 guntas of the land in the compound of St. Patrick's Cathedral to the Roman Catholic Church authorities was agreed to by the Government.

3) Since then far-reaching political changes which were not foreseen at the time have taken place, and the retrocession which took place in July last has come about in circumstances far different from those previously thought of.

4) In the circumstances it is for consideration whether the decisions previously arrived at with the Residency in regard to Retrocession are to be regarded as final and implemented accordingly or are to be examined afresh and decided on their merits under present conditions.

Submitted for orders.

5) Chief Secy) Now 3/3/48

Fri 5.3.48. Secn 7/3/48

6) Please ack receipt of the letter from the Bishop of Bangalore & say that the matter is receiving attention; and send the file U.O. & complete to the Collector Civil Station for his remarks & urgent return.

7/3 Mysore

726. 4/3

Issued No. 6940/CB. dy 23/3/48
To the Bishop of Bangalore,
Bangalore.

3472

St. Patrick's Cathedral, Bangalore. 34/CB dtd

Letter No. 2115 - D - 48, dy 6.3.48 from the Collector, Civil Station, Bangalore.

Submitted for perusal with reference to paragraph 6 overleaf and for orders regarding the further action to be taken in the matter.

Is there any file here of the Residency? Connected please verify

Sd/- 23.3.48.

Sd/- 23/3/48

Submitted

There is no file on this subject transferred by the Residency. Vide para 6. for orders.

Sd/- 29.3.48.

Chief Secy) Please see me -

29/3/48.

29.3.48

8240 99/3

The reply from the AD on 28/5/48. The general question raised separately may be awaited, as the disposal of that matter has an intimate bearing on the present case -

2/6/48

3472

BISHOP'S HOUSE
20 Miller's Road,
BANGALORE

February 21st, 1948.

From: Rt.Rev.Mgr.P.Thomas, D.D.,
Bishop of Bangalore,
Bangalore.

To: The Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore.

Sir,

GRANT OF LAND IN THE COMPOUND OF ST.PATRICK'S CHURCH - GRANTS OF MILITARY LANDS.

I have the honour to enclose a copy of a letter dated the 13th December 1937 from the Very Rev.Fr.L.Vanpeene, Vicar General, St.Patrick's Church, Bangalore, addressed to the Secretary to the Hon'ble the Resident in Mysore on the above subject. I also enclose copies of the relevant documents relating to the request contained in the letter.

2. Although no formal reply was sent to the aforesaid letter, Fr.Vanpeene understood from Mr.Trevelyan, the then Secretary to the Resident, that the request contained in that communication was considered in connection with the retrocession negotiations of 1938, and it was decided that as soon as retrocession took place, in consultation with the Government of His Highness the Maharaja of Mysore, a part of the land might be transferred free of cost to the Church authorities and the other part sold to them at a reasonable price. Now that retrocession has taken place, I request you kindly to implement the decision already reached.

I have the honour to be,
Sir,
Your most obedient servant,

+ P. Thomas

BISHOP OF BANGALORE.

Encl:

Copy forwarded with compliments to:-
The Collector, Civil Station, Bangalore.

TRUE COPY

St. Patrick's Cathedral

Bangalore.

13th December 1937.

From

The Very Rev. L. Vanpeene, B.A.,
Vicar General and Chaplain
St. Patrick's Cathedral,
Bangalore

To

The Secretary to the Resident,
Bangalore.

Sir,

I have the honour to approach you in connection with a piece of land adjoining St. Patrick's Cathedral grounds, which is military land but the use of which has been allowed to the Chaplain of St. Patrick's Cathedral by the Military authorities since 1914, and to inquire whether in view of the impending Retrocession of a portion of the C.& M. Station to the Government of H.H. the Maharaja of Mysore this piece of land could now be ceded to the Cathedral.

The transfer of this piece of land has been the subject of much correspondence between the military authorities and the Chaplain of St. Patrick's, as will be shown by the enclosed copies of some of the letters existing in my files.

You will see from these letters that the sale of this piece of land all but became a fait accompli in 1908 and that a deed of sale had actually been prepared. The sale however was eventually opposed by the G.O.C. in 1909. But in the same year the question was reopened by the military authorities themselves, and once again settled in the negative by the Q.M.G in India in 1912.

In 1914 the Chaplain was allowed the use of the land under certain conditions.

In 1927 I was asked to apply for a proper lease of the land, which I did. The lease was not granted, but I was promised first refusal should the G.O.C. decide at any time to lease it.

The last letter in my file, dated 6-1-32, grants the use of the land for all time, subject to the provision that should the land be required for military purposes it will be handed over immediately.

As you will see from the foregoing brief history of the case, the land has now been at our disposal since 1914, i.e. for 23 years, and since in the event of the Retrocession taking place the Military will have absolutely no further interest in it, I should like very much to have it transferred to the Cathedral, either as a free grant or by a deed of sale.

I should like to point out that were this plot of ground sold to any other party, there would be at least a possibility of its being eventually utilized for the building of a cinema or dancing hall, etc., a thing highly undesirable in view of its close proximity to a place of worship and to the Convent of the Good Shepherd which stands just across the road.

As I do not know which Department will be concerned with the disposal of this land in the event of Retrocession, I venture to send this application to you and shall be most grateful if you will kindly help me in any way you can to obtain its transfer to St. Patrick's Cathedral.

I have the honour to be,

Sir,

Your most obedient servant.

(Sd.) L. Vanpeene

COPY OF LETTER FROM Asst:Condg.Royal Engineer,...dated 3rd February 1912,No.618.

No.618

Office of the Asst.Condg.Royal Engineer,

Station...Bangalore Date..3rd February 12.

From: The Asst.Condg,Royal Engineer, Bangalore.

To: The Chaplain,

St.Patrick's Cathedral,Bangalore.

Sir,

I have the honour to acknowledge the receipt of your letter dated 25th January 12 and to inform you that the Quarter Master General in India has ruled that the sale of the land in question is inadmissible.

Further reference on this question has recently been made to the Government of India. Should it be found later that the sale of the land is admissible,the case can then be reopened.

I have the honour to be,
Sir,
Your obedient servant,

(Sd.) H.A.D.Fraser, Major,R.E.,
Offg.A.C.R.E.,Bangalore.
D.R.V. 3-2-12.

COPY OF LETTER FROM Asst:Condg,Royal Engineer,Bangalore dated 25th June 1914 No.2877. together with copy of OFFICE NOTE,dated 24th June 1914.

No.2877.
Office of the Asst.Condg,Royal Engineer,

Station...Bangalore Date...25th June 14.

From: The Asst.Condg,Royal Engineer, Bangalore.

To: The Chaplain of St.Patrick's Cathedral, Bangalore.

Sir,

With reference to previous correspondence on the subject, I have the honour to inform you that the General Officer Commanding has decided to deal with the plot of Military Land adjoining the Cathedral compound in the manner described in the accompanying note dated 24-6-14 and signed by him.

Would you kindly indicate your willingness to keep the plot in clean and sanitary order on condition that,and so long as,no objection is raised to your parking carriages there. Would you please note that no planting or gardening can be permitted. The stones lying about there will either be removed or stacked.

I have the honour to be,
Sir,
Your obedient servant,
(Sd.) xxxxxxxxx Major, R.E.,
Bangalore.
D.R.V.24-6-14.

***

[illegible]:

to mark the salient angle,and another will be fixed at the North east corner (on South wall of privately owned sheds).

Reference to Cantonment area Bangalore No.106/2/1 of 20-1-20.

The Chaplain will be informed that no objection will be raised to his using the plot of ground for parking carriages only,on the understanding that he keeps it in clean and sanitary order. It has been explained to the Chaplain that this arrangement, which has been made for mutual convenience to remove a nuisance, is liable to revocation at any time without notice,and conveys to him no rights whatsoever over the land.

June 24 1914.

R.Wapshare,
(Sd.) xxxxxxxxxxxxxxx. Br.General,
Comdg,Bangalore Brigade.
D.R.V. 20-6-14.

TRUE COPY.
==========

St. Patrick's Cathedral
Bangalore.
6th January 1932.

From
The Rev. L. Vanpeene, B.A.,
Catholic Chaplain
To
The Station Staff Officer
Bangalore.

Dear Sir,

My attention has been drawn to letter No.9427/37/S, dated 8th September/28, regarding the plot of military land adjoining St. Patrick's Cathedral Compound and I shall be much obliged if you will kindly let me know how the matter stands at present.

Yours faithfully
(Sd.) L. Vanpeene
Catholic Chaplain

==========

TRUE COPY
==========

No.9427/82/S.
Headquarters, Madras District
Bangalore, 6th January 1932.

To
The Rev. L. Vanpeene, B.A.,
Chaplain, St. Patrick's Cathedral,
Bangalore.

Dear Sir,

With reference to your letter dated 6th January 1932, regarding that plot of land bounded on the West by MUSEUM ROAD, on the South and East by St. Patrick's Cathedral Compound, and on the North by the Valve Superintendent's Quarters and the compound of the Chaplain of St. Patrick's Cathedral.

I have the honour to inform you that it is not proposed to enter into a lease for the plot in question, but the General Officer Commanding, Madras District, Bangalore, has no objection to its use by the Cathedral Authorities for all time, for the purpose of parking carriages or other vehicles, on the understanding that the plot in question is kept in a clean and sanitary condition and is not built on.

Subject always to the provision that should the land be required for Military purposes it will be handed over at 48 hours notice.

I have the honour to be,
Sir,
Your most obedient servant
(Sd.).....
Captain
Station Staff Officer, Bangalore.

No. 2115-D-48.

OFFICE OF THE COLLECTOR,
CIVIL ~~XXXMXXXXXX~~ STATION, BANGALORE.

Dated 6th March 1948. *194* .

FROM

N. Puttarangaswamy, Esq., B.Sc.,
THE COLLECTOR,
CIVIL ~~XXXXXXXXXXXX~~ STATION,
BANGALORE.

To

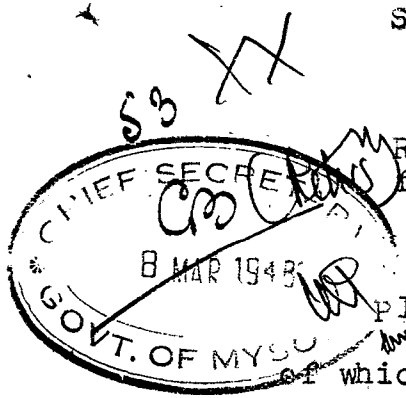
The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

SIR,

Subject: Land in the occupation of
Military in Museum Road in the
Compound St. Patrick's Cathedral

Reference: Copy of letter dated 21-2-48
from the Bishop of Bangalore addressed to
you.

.....



Please refer to the above letter a copy of which has been forwarded to me. It is seen from the copy of letter No.9427/82/S, dated 6/1-32 from the Station Staff Officer to Rev. Father Vanpeene that the land in question is granted to the Cathedral authorities for parking only the vehicles subject to the conditions referred to in that letter and as such granting this land to them does not arise.

Regarding

Regarding paragraph 2 of the letter no records are available in this office relating to any promises made. Perhaps records sent from the Residency to Government may throw some light in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

COLLECTOR. 8/3

D.O. 6940/42

23rd March 8

Rt. Rev.Mgr.P.Thomas, D.D.,
Bishop of Bangalore,
Bangalore.

Dear Sir,

With reference to your letter dated 21st February 1948, regarding grant of land in the compound of St. Patrick's Church - grants of Military lands, I am desired to state that the matter is receiving attention of the Government.

Yours faithfully,

23/3/48

For Chief Secretary to Government.